

REMARKS

Applicants acknowledge receipt of an Office Action dated November 14, 2008. In this response, Applicants have amended claim 1, cancelled claim 10 and added new claims 11-19. Support for amended claim 1 may be found in the specification as originally filed, *inter alia*, at page 6, lines 10-15. Support for new claims 11-19 can be found, *inter alia*, at page 5, line 28 through page 10 line 9, and examples 3-9 of the originally filed specification. Following entry of this amendment, claims 1-9 and 11-19 are now pending in this application.

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Priority

The Office noted in the Office Action Summary that only “some” of the priority documents have been received. Applicants note that a certified copy of Applicants’ foreign priority application has been submitted. Applicants respectfully request that the Office fully acknowledge Applicants’ claim for foreign priority and indicate that the certified copies of the priority document has been received.

Specification

On pages 2-3, the Office objects to the disclosure, citing 15 informalities. The Applicants thank the Office for the suggested corrections addressing the minor informalities found in the original specification. The Applicants address the Office’s objections as follows:

1. The Office has objected to the paragraphs beginning on lines 12 and 22 of page 4 of the disclosure for allegedly being “identical”. The Applicants respectfully traverse the objection. The paragraph beginning on line 12 presents one aspect of the present invention as a “catalyst producing method”, while in the paragraph starting on line 22 introduces steps from which “a catalyst is obtained”. Thus, these paragraphs are not “identical,” as argued by the Office
2. The Office has objected to the phrase “several tens nm” on page 6, lines 14 and 21 of the disclosure and has suggested changing to “several tens of nm”. Applicants submit that the amendments to the specification render this objection moot.

3. The Office has objected to the phrase “thereby enabling to avoid” on page 9, line 21 of the disclosure and has suggested changing to “thereby avoiding”. Applicants submit that the amendments to the specification render this objection moot.
4. The Office has objected to the sentence beginning on page 10, line 10 of the disclosure as being grammatically incorrect. Applicants submit that the amendments to the specification render this objection moot.
5. The Office has objected to the phrase “Usable as the noble” on page 10, line 16 of the disclosure and has suggested changing to “The noble”. Applicants submit that the amendments to the specification render this objection moot.
6. The Office has objected to the phrase “one kind of element” on page 10, line 16 of the disclosure and has suggested changing to “one element”. Applicants submit that the amendments to the specification render this objection moot.
7. The Office has objected to the phrase “optimum one among” on page 10, line 19 and has suggested changing to “optimum metal among” or “optimum element among”. Applicants submit that the amendments to the specification render this objection moot.
8. The Office has objected to the phrase “the like of the catalyst” on page 10, line 20 of the disclosure and has suggested changing to “the type of catalyst”. Applicants traverse the objection. Applicants submit that the amendments to the specification render this objection moot.
9. The Office has objected to the phrase “enabling to restrict” on page 11, line 16 of the disclosure and has suggested changing to “restricting”. Applicants submit that the amendments to the specification render this objection moot.
10. The Office has objected to the phrase “the like of the catalyst” on page 12, line 6 of the disclosure and has suggested changing to “the type of catalyst”. Applicants submit that the amendments to the specification render this objection moot.

11. The Office has objected to the phrase “was changed into” on page 14, line 12; page 15, lines 7 and 29; page 17, line 2; page 18, line 27; and page 20, line 8 of the disclosure. The Office has suggested changing the phrase to “turned”. Applicants submit that the amendments to the specification render this objection moot.

12. The Office has objected to the word “subsequently” on page 14, line 13; page 16, lines 1 and 9; page 17, lines 3 and 11; page 18, line 28; page 19 line 7; and page 20, lines 9 and 16 of the disclosure. The Office has suggested deleting “subsequently”. Applicants respectfully traverse the objection. The term “subsequently” has been purposefully included in the disclosure to further describe the invention.

13. The Office has objected to the phrase “mixed into cyclohexane was polyethylene” on page 15, lines 1 and 23; page 16, lines 2 and 25; page 17, lines 4; page 18, lines 21 and 29; page 19 line 8; and page 20, lines 2, 10 and 18 of the disclosure. The Office has suggested that the phrase should read “Polyethylene” and that “was mixed into cyclohexane” should be added between the words “ether in” in the phrase “-nonphenyl ether in a manner”. Applicants submit that the amendments to the specification render this objection moot.

14. The Office has objected to the word “a” on page 15, line 22 of the disclosure and has suggested deleting it. Applicants thank the Office for the suggestion and have made the correction accordingly.

15. The Office has objected to the word “thereby” on page 20, line 23 of the disclosure and has suggested deleting it. Applicants respectfully traverse the objection. Applicants respectfully submit that the inclusion of “Thereby” does not present an informality or otherwise introduce ambiguity.

Reconsideration and withdrawal of these rejections is respectfully requested for at least the reasons above.

Rejection Under 35 U.S.C. § 103

Claims 1-4 and 6-10

On pages 3-5 of the Office Action, the Office has rejected claims 1-4 and 6-10 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent 4,714,693 to Targos in view of Training Papers Spray Drying BUCHI Labortechnik AG (hereafter “Buchi”). Applicants respectfully traverse this rejection for at least the reasons set forth below.

Targos and Buchi, separately or in combination, fail to teach or suggest “reducing the noble metal precursor to a noble metal particle by adding a reducing agent to the reverse micellar solution” as recited in claim 1. Claims 2-4 and 6-9 depend from claim 1.

Targos teaches a method of making a catalyst in which metal compounds on a support are reduced while on the support surface by contact with flowing hydrogen. See Targos at col. 6, lines 50-56. However, before any reduction step occurs in the method of Targos, the support material is separated from the “impregnant” solution and then dried with air, purged with helium, and oxidized with air. See Targos at col. 6 lines 35-56. Thus, Targos does not disclose or suggest adding a reducing agent to a reverse micellar solution.

Buchi fails to remedy the deficiencies of Targos discussed above. For example, Buchi fails to teach or suggest a catalyst producing method comprising the step of “reducing the noble metal precursor to a noble metal particle by adding a reducing agent to the reverse micellar solution.” Buchi instead appears to be a training manual for spray drying processes which does not provide detail for reducing a noble metal precursor.

With particular regard to the Office’s comments regarding optimization in connection with the rejection of claim 2, Applicants submit that the Office has not established that the optimization would lead to the claimed values (as opposed to away from the claimed values). Accordingly, Applicants request withdrawal of this ground for rejecting claim 2.

For at least the reasons discussed above, Applicants respectfully request reconsideration and withdrawal of the rejection.

Claim 5

On pages 5-6 of the Office Action, the Office has rejected claim 5 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Targos in view Buchi, and further in view of U.S.

Patent 6,413,489 to Ying *et al.* (hereafter “Ying”). Applicants respectfully traverse this rejection for at least the reasons set forth below.

Ying fails to remedy the deficiencies of Targos in view of Buchi discussed above in regard to independent claim 1, from which claim 5 depends. For at least the reasons discussed above, Applicants respectfully request reconsideration and withdrawal of the rejection.

Newly Added Claims

In this response, Applicants have added new claims 11-19. Claim 11 includes features similar to claim 1. For example, Targos in view of Buchi fails to teach or suggest “reducing the noble metal precursor to a noble metal particle by adding a first reducing agent to the first reverse micellar solution,” as recited in claim 11. Claims 12-19 depend from claim 11. Applicants respectfully submit that claims 11-19 are allowable over the cited references for at least these reasons.

CONCLUSION


Applicants submit that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5540
Facsimile: (202) 672-5399

Paul D. Strain
Attorney for Applicant
Registration No. 47,369